



June 4, 2019

VIA ELECTRONIC FILING
The Honorable Colm F. Connolly
United States District Court
for the District of Delaware
844 North King Street
Wilmington, DE 19801

**Re: *Bristol-Myers Squibb Co. et al v. Genentech, Inc.*,
(C.A. No. 17-cv-1027-CFC)
Bristol-Myers Squibb Co. et al v. AstraZeneca Pharms. LP et al.,
(C.A. No. 17-cv-1028-CFC)**

Dear Judge Connolly:

The parties jointly and respectfully submit this status report in response to the Court's Oral Order dated May 22, 2019.

As explained in the parties' May 21, 2019 letter, the recent decision in *Dana-Farber Cancer Institute, et al. v. Ono Pharmaceutical Co., Ltd., et al.*, C.A. 1:15-cv-13443-PBS (D. Mass.) regarding inventorship of, among other patents, the patent-in-suit here, U.S. Patent No. 9,402,899 (the "899 Patent"), will affect these cases. Plaintiffs are appealing from the *Dana-Farber* decision.

The parties have jointly agreed to dismiss these cases—both the plaintiffs' claims and the defendants' counterclaims—without prejudice so that plaintiffs may pursue the *Dana-Farber* appeal. To that end, the parties are negotiating an amendment to the Protective Orders in these cases to preserve the documents that have been produced. The parties will file amended Protective Orders by June 11, 2019, and will file stipulations of dismissal of both actions without prejudice within two days of the Court's entry of the amended Protective Orders.

Respectfully submitted,

/s/ Brian E. Farnan

Brian E. Farnan

cc: Counsel of Record (via E-Filing)